

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

**FILED**

SHYWANEE L. MANSON,  
an Individual

Plaintiff,

v.

JOHN RUFFIN individual,  
JOHN RUFFIN PRODUCTIONS, Inc.,  
an Illinois corporation,  
HARBORTOWN TREATMENT  
CENTER a Michigan corporation, and  
ANTHONY JETT

Defendants.

MAY 27 2010 **NF**

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

10cv3282

Judge James F. Holderman  
Magistrate Arlander Keys

**COMPLAINT FOR COPYRIGHT INFRINGEMENT**

Now comes Plaintiff, SHYWANEE MANSON, an individual residing in Cook County, Illinois, by and through her attorney, J.PAYE & ASSOCIATES LTD. hereby complain against defendants JOHN RUFFIN, JOHN RUFFIN PRODUCTIONS, Inc., HARBORTOWN TREATMENT CENTER and ANTHONY JETT as follows:

**ALLEGATIONS COMMON TO ALL COUNTS**

1. Shywanee L. Manson is the author of the original novel *Apology From One Sista' to Another*, which was first expressed in written form in 2003.
2. Ms. Manson registered her novel with the copyright office on December 11, 2003 and received her copyright certificate on or about January, 2003. **See Exhibit A – Manson Copyright Certificate.**

3. Ms. Manson wrote the original screenplay based on her book *Apology from One Sista' to Another*.

4. In October 2009, with the Plaintiff's assistance and input John Ruffin made the following revisions to the Plaintiff's screen play: Added characters Johnson, the maintenance man and Sydney, Rita's best friend; and incorporated inspirational songs. It was understood between the parties that Ruffin would not have a copyright interest in the revisions. **See Exhibit B – Manson Affidavit**

5. On February 11, 2010, Plaintiff sent a cease and desist letter to John Ruffin and on March 12, sent the same to Anthony Jett. The letter stated that Plaintiff was the copyright owner of the novel and original screen play *Apology from One Sista' to Another*. Additionally, the letter stated that Defendants did not have permission to perform Plaintiff's work in Benton Harbor, Michigan. **See Exhibit C – Manson Cease and Desist Letter.**

6. On March 12, 2010, defendants publicly performed the Plaintiff's stage play *Apology from One Sista' to Another* at the Benton Harbor High School Performing Arts Center in Michigan without her permission. Defendants sold tickets to the play at a price of \$20.00 per ticket. **See Exhibit D – Benton Harbor Flyer.**

#### **PARTIES**

7. Plaintiff Shywanee Manson is an individual residing in Cook County, Illinois and a resident in the District and Division. She is the author of the book "Apology from One Sista' to Another." Ms. Manson retains a valid copyright in the work. **See Exhibit A – Copyright Certificate.**

8. Defendant John Ruffin is an individual residing in Cook County, Illinois

9. Defendant John Ruffin Production, Inc is a dissolved corporation in Cook County, Illinois. **See Exhibit E – John Ruffin Productions Corporation File Detail Report.**

10. Defendant Anthony Jett is an individual residing in Benton Harbor, Michigan.

11. Defendant Harbor Town Treatment Center is a Michigan Corporation located in Benton Harbor, Michigan.

### **JURISDICTION AND VENUE**

10. Plaintiff's claim is founded upon the United States Copyright Act, 17 U.S.C. § 501. This court has original jurisdiction pursuant to 28 U.S.C. § 1331 because the claims arise under the laws of the United States.

11. Additionally, this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332 because Defendant Benton Harbor Town Treatment Center, Anthony Jett and Plaintiff are citizens of different states (Anthony Jett and Benton Harbor Town Treatment Center are citizens of Michigan and Plaintiff is a citizen of Illinois) and the amount in controversy exceeds \$75,000, exclusive of interest and cost. The Plaintiff is asking the court to award her statutory damages for the defendants' willful infringement in the amount of \$150,000

12. Venue is proper in the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1391(c) and 1400(a), because a substantial part of the events giving rise to the claims occurred in this District and Division; and because Defendants John Ruffin, John Ruffin Productions and Plaintiff are subject to Personal jurisdiction in this District and Division.

**COUNT 1 COPYRIGHT INFRINGEMENT**

12. Paragraphs 1-12 are re-alleged and incorporated herein.

13. The novel *Apology from One Sista' to Another* is wholly original to Shywanee Manson and is copyrightable subject matter under the laws of the United States.

14. The copyright for the novel *Apology from One Sista' to Another* was registered on December 11, 2003 (Reg. No. TXu001132597). **See Exhibit A – Copyright Certificate.**

15. Plaintiff is the exclusive copyright owner of the novel and screenplay.

16. Defendants have unlawfully appropriated from Plaintiff her performance rights to her copyrighted novel and screenplay.

17. Defendants have no license or other form of permission to copy, distribute or perform any part of the derivate screenplay or to the rights in the novel *Apology from One Sista' to Another*.

WHEREFORE, the Plaintiff request this Honorable Court for a judgment in its favor against JOHN RUFFIN, JOHN RUFFIN PRODUCTIONS, ANTHONY JETT and HARBORTOWN TREATMENT CENTER jointly and severally and to award the plaintiff:

- A. A temporary and permanent injunction enjoining the Defendants from infringing on the Plaintiff's rights;
- B. Damages and any additional profits of the infringer or statutory damages;
- C. Statutory damages for willful infringement in the amount of \$150,000;
- D. An award of court costs and attorney fees incurred in bringing this action; and,

E. Any such other relief this court deems just and proper.

**COUNT II – INTERFERENCE WITH PROSPECTIVE ECONOMIC  
ADVANTAGE**

18. Paragraphs 1 through 11, and the allegations of Counts I are re-alleged and incorporated herein.

19. Plaintiff own the rights to exploit the novel and screenplay entitled *Apology from One Sista' to Another*.

20. At all material times, Plaintiff has been engaged in marketing efforts with thirds parties in a effort to exploit Plaintiff's performance rights in the novel and screenplay *Apology from One Sista' to Another*.

21. Defendants was aware that Plaintiff was engaged in efforts to license her copyrighted work to third parties.

22. Defendants' conduct of soliciting sponsors and promoters to produce and distribute the screen play *Apology from One Sista' to Another* is limiting the Plaintiff's ability to exploit her work for monetary gain.

23. Plaintiff has been damage because Defendants conduct has limited her ability to exploit her work for monetary gain.

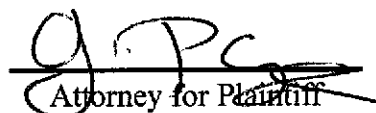
WHEREFORE, the Plaintiff request this Honorable Court for a judgment in its favor against JOHN RUFFIN, JOHN RUFFIN PRODUCTION, ANTHONY JETT and HARBORTOWN TREATMENT CENTER jointly and severally and to award the plaintiff:

- A. A temporary and permanent injunction enjoining the Defendants from infringing on the Plaintiff's rights;
- B. Monetary damages;
- C. An award of court costs and attorney fees incurred in bringing this action; and,
- D. Any such other relief this court deems just and proper.

**Respectfully submitted,**

**SHYWANEE L. MANSON**  
Plaintiff

By:

  
Attorney for Plaintiff

Johnetta G. Paye, Esq.  
J. Paye & Associates, Ltd.  
566 W. Lake Street, Suite 310  
Chicago, IL 60661  
Phone: 312-627-0054  
ARDC Number: 6297389  
[jpaye@jpaye.com](mailto:jpaye@jpaye.com)

Dated May 27, 2010

**CERTIFICATE OF SERVICE**


The undersigned attorney of record for the Plaintiff certifies that a copy of the foregoing was served on all the parties listed below via U.S. Mail, postage pre-paid on May \_\_\_\_\_, 2010:

John Ruffin  
5703 Woodgate  
Matteson, Illinois 60443

John Ruffin Productions, Inc.  
5703 Woodgate  
Matteson, Illinois 60443

Harbortown Treatment Center  
1022 E. Main  
Benton Harbor, MI 49022

Anthony Jett  
2110 Joyce St  
Benton Harbor, MI 49022-2606

  
Johnetta G. Paye, Esq.  
J. Paye & Associates, Ltd.  
566 W. Lake Street, Suite 310  
Chicago, IL 60661  
Phone: 312-627-0054  
ARDC Number 6297389  
[jpaye@jpaye.com](mailto:jpaye@jpaye.com)

Cc/  
To  
With  
right

137571425

change  
to Office  
is Copy**SHORT FORM TX**  
For a Nondramatic Literary Work  
UNITED STATES COPYRIGHT OFFICE

TXu 1-132-697



TXU 1132597

Effective Date of Registration

December 11, 2003

Application Received

DEC 11 2003

Deposit Received

DEC 11 2003

Two

Fee Received

Examined By

Correspondence

TYPE OR PRINT IN BLACK INK. DO NOT WRITE ABOVE THIS LINE

Title of This Work

1

Apology From One Sista ' To  
AnotherAlternative title or title of  
larger work in which this  
work was publishedName and Address of  
Author and Owner of the  
Copyright

2

Shywanee Manson  
17525 Baker Ave  
Country Club Hills, IL 60478Nationality or domicile  
Phone fax and emailPhone (708) 922-0549 Fax (312) 236-7516  
Email shyfox74@aol.com

Year of Creation

3

2003

If work has been published  
Date and Nation of  
Publication

4

a Date \_\_\_\_\_ (Month day and  
Month Day Year year all required)

b Nation

Type of Authorship  
in This Work

5

☒ Text (includes fiction nonfiction poetry computer programs etc )  
☐ Illustrations  
☐ Photographs  
☐ Compilation of terms or data

Check all that this author created

Signature

6

I certify that the statements made by me in this application are correct to the best of my knowledge Check one

☒ Author ☐ Authorized agent

x Shywanee Manson

Registration cannot be  
completed without a  
signatureName and Address of  
Person to Contact for  
Rights and Permissions

7

☒ Check here if same as #2 above

Phone fax and email

Phone ( )

Fax ( )

Email

8

Certificate  
will be  
mailed in  
window  
envelope to  
this address

Name

Shywanee Manson

Number/Street/Apt

17525 Baker Avenue

City/State/Zip

Country Club Hills, IL 60478

9

Deposit Account #

Name

Complete this space only  
if you currently hold a  
Deposit Account in  
the Copyright  
Office

DO NOT WRITE HERE

Page 1 of \_\_\_\_ pages

17 U.S.C. § 504(a) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405 or in any written statement filed in connection with the application shall be fined not more than \$2,500



FL  
4c

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Date: April 20, 2010LIBRARY  
OF  
CONGRESSShywanee Manson  
17525 Baker Avenue  
County Club Hills, IL 60478

Type of remittance received:

check or money order

deposit account--  
description number:

X credit card

COPYRIGHT  
OFFICE101 Independence  
Avenue, S.E.

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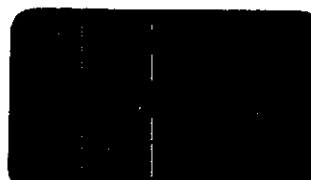
The Records Research and Certifications Section has provided the following services and applied fees as shown below.

Photocopying of deposit, assignment, or correspondence	\$ 14.00
<b>Total fees charged</b>	<b>\$14.00</b>
<b>Total remittance received</b>	<b>\$14.00</b>

Washington, D.C.  
20559-6000Sincerely yours,  
Troy Powell

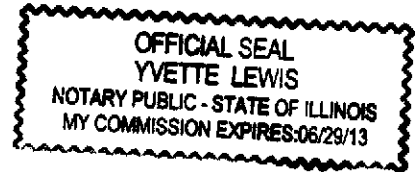
Enclosure:1

Document: Photocopies (TXu 1-132-597)



AFFIDAVIT

State of Illinois  
County of Cook



BEFORE ME, the undersigned Notary,

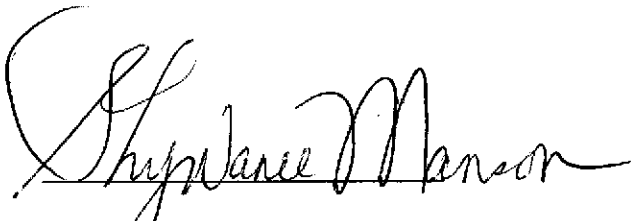
Yvette Lewis [name of Notary before  
whom affidavit is sworn], on this 27 [day of month] day of May 2010, personally

appeared Shywancee L. Manson, known to me to be a credible person and of lawful age,  
who being by me first duly sworn, on her oath, deposes and says:

1. I am the author of the original novel original novel *Apology From One Sista' to Another*, which was first expressed in written form in 2003.
2. I registered my novel with the copyright office on December 11, 2003 and received my copyright certificate on or about January, 2003.
3. I wrote the original screenplay based on my book *Apology from One Sista' to Another*.
4. In fall 2009, I hired John Ruffin to direct the stage performance of my screenplay *Apology from One Sista' to Another*.
5. John suggested that I make a few revisions to my play to make it more inspirational in nature.
6. In October 2009, John Ruffin and I worked together to make the following

revisions to my screenplay: Added characters Johnson, the maintenance man and Sydney, Rita's best friend; and incorporated inspirational songs. It was understood that John would not have a copyright interest in the revisions.

7. On February 11, 2010, I sent a cease and desist letter to John Ruffin and on March 12, sent the same to Anthony Jett. The letter stated that I was the copyright owner of the novel and original screen play *Apology from One Sista' to Another*. Additionally, the letter stated that John Ruffin, John Ruffin Productions, Anthony Jett and Harbortown Treatment Center did not have permission to perform my screenplay in Benton Harbor, Michigan.
8. On March 12, 2010, John Ruffin, John Ruffin Productions, Anthony Jett and Harbortown Treatment Center publicly performed the Plaintiff's stage play *Apology from One Sista' to Another* at the Benton Harbor High School Performing Arts Center in Michigan without my permission. They sold tickets to the play at a price of \$20.00 per ticket.
9. It is my understanding that John Ruffin, John Ruffin Production, Anthony Jett and Harbortown Treatment Center made about \$25,000 from selling tickets to the theatrical production of my screenplay.



Affiant Signature

**Shywanee L. Manson  
17525 Baker Avenue  
Country Club Hills, IL 60478**

**(708) 770-7936  
shywanee.manson@yahoo.com  
shyfoxbooks.com**

**February 11, 2010**

**VIA E-MAIL AND FIRST-CLASS MAIL**

**Mr. John Ruffin  
5703 Woodgate  
Matteson, Illinois 60443**

**Dear Mr. Ruffin:**

**I am the proprietor of all copyright in a literary/artistic/musical work entitled Apology From One Sista' To Another (The "Work"). I have reserved all rights in the Work, which was first expressed in material form in the year 2003.**

**It has come to my attention that your work entitled Apology From One Sista' To Another is identical/substantially similar to my copyrighted Work. I am aware of you scheduling the Work in Benton Harbor, Michigan in March of 2010. Permission was neither asked nor granted to reproduce the Work and your work therefore constitutes infringement of my rights. In terms of the Copyright Statutes, I am entitled to an injunction against your continued infringement, as well as to recover damages from you for the loss I have suffered as a result of your infringing conduct.**

**In the circumstances, I demand that you immediately:**

- 1 Remove all infringing content and notify me in writing that you have done so;**
- 2. Immediately cease the use and distribution of copyrighted material;**
- 3. Deliver-up for destruction all unused or undistributed copies;**
- 4. Undertake in writing to desist from using any of my copyrighted Work in future without prior written authority from me.**

**I expect response to this email in a timely manner (within 72 hours of the date of this letter transmission) either by the removal of my copyrighted work or via email stating your intentions.**

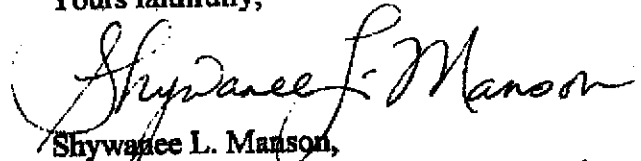


Be advised that if no response is received, my next step will be to contact your promoters, cast and crew (with my proof and sworn statement of copyright) as they may become involved in any legal action I may have to pursue to obtain compliance.

Please understand that this letter is not a warning or threat. It is being sent to you as part of a legal process that must be followed in an effort to maintain my legal rights. You can put an immediate stop to this process by acting in accordance with this offer of good faith.

This is written without prejudice to my rights, all of which are hereby expressly reserved.

Yours faithfully,

A handwritten signature in cursive script, reading "Shywanee L. Manson". The signature is written in dark ink and is positioned above the printed name.

Shywanee L. Manson,

Auhtor/Playwright, Apology From One  
Sista' To Another

/SLM

cc: J. Paye, Attorney-At-Law



John Ruffin  
ENTERTAINMENT

Presents Showance Manson's

# Apology:

FROM ONE SISTA TO ANOTHER

*Just having a man isn't enough!*

Inspirational Stageplay Written/Directed By John Ruffin

**Saturday January 23, 2010**

@ Harold Washington Cultural Center



From Tyler Perry's Madea Goes to Jail - Ryan Gentles  
Laterras Whitfield's stage play ISSUES - LaKisha Hillard  
Ebony/Jet model - Richard Gallion and Ajay Milan

Harbortown Treatment Center Presents

# Apology:

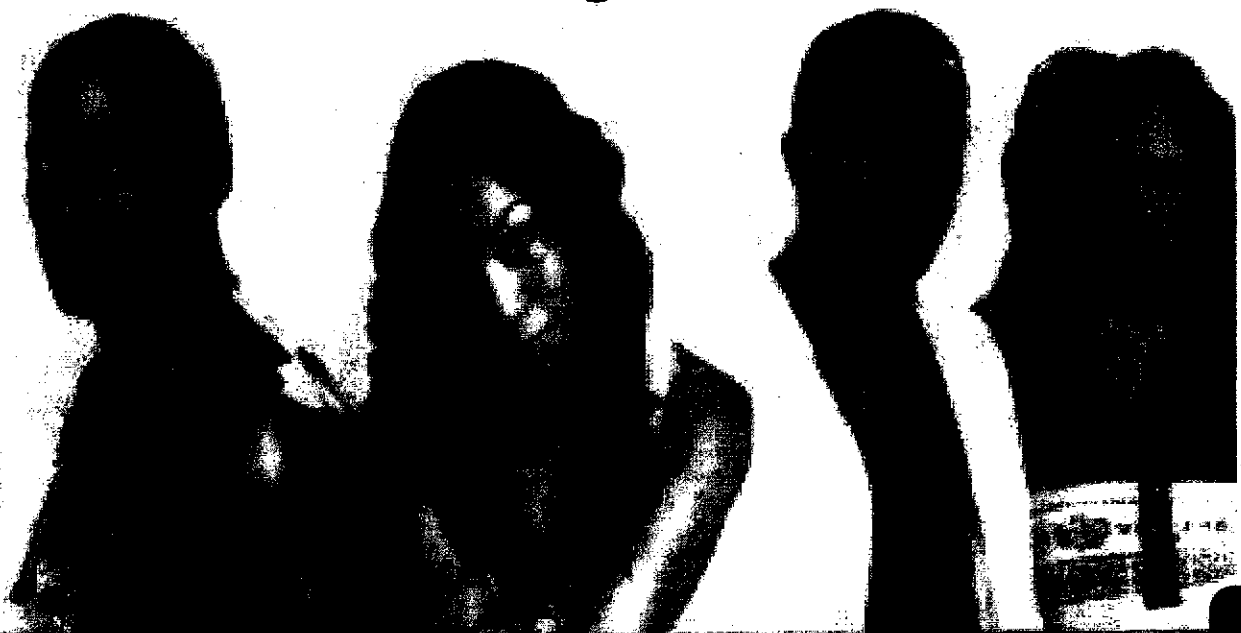
**FROM ONE SISTA' TO ANOTHER**

*Just having a man isn't enough!*

Inspirational Stageplay Written/Directed By John Ruffin

**Friday, March 12, 2010**

@ Benton Harbor High School  
Performing Arts Center



Harbortown Treatment Center Presents The Power of Tenell Carter  
Inspirational Stageplay "QUE" Written/Performed by  
Deborah A. Hill, Richard Gallen and Aja Milan

**Friday, March 12, 2010**

© Benton Harbor High School Performing Arts Center  
870 Colfax Ave, Benton Harbor, Michigan 49022

**Main Office # (269) 605-1218**

**Doors open: 6:30 pm, Showtime: 7:30 pm**

**TICKETS - \$20.00**

**Tickets can be purchased:**

© Domino's Pizza - 610 Napier Ave., BH, MI (269) 925-9400  
© Lark & Barbeque - 440 W. Main St., BH, MI (269) 926-9833

**Sponsored by:**



**Written by: John Ruffin**



The Community for  
Learning Development



**Tall and Tall**



*\*A tale of what can happen when believing in love at first sight!*

**Also Featuring: Comedien P.K., Tiffany Gatlin,  
Todd ReSean, Fred Dubose & Tashika Benson**



**www.johnruffin.com**





CORPORATION FILE DETAIL REPORT

Entity Name	JOHN RUFFIN PRODUCTIONS, INC.	File Number	82676213
Status	DISSOLVED		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	12/08/2002	State	ILLINOIS
Agent Name	JOHN L. RUFFIN	Agent Change Date	12/08/2002
Agent Street Address	500 W CERMACK RD	President Name & Address	
Agent City	CHICAGO	Secretary Name & Address	INVOLUNTARY DISSOLUTION 05 01 04
Agent Zip	60616	Duration Date	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	2003

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